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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,779	11/14/2001	Terrell Jones	8250.1526-00	3140
826	7590	03/29/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			AL HASHEMI, SANA A	
		ART UNIT	PAPER NUMBER	2161

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/990,779	JONES ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Sana Al-Hashemi	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 21 February 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-31 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-31 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

### **DETAILED ACTION**

1. This action is issued in response to applicant amendment filed 3/3/05.
2. Claims 1-31 were amended. Claims 32-45 were added. None were canceled.
3. Claims 1-45 as amended are pending.
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 03, 2005 has been entered.

Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vance (US Patent No. 6,442,526) in view of Roselli (US Patent No. 3,815,269)

Regarding Claims 1, 7, 32, and 41, Vance discloses a method for processing a query of a travel database, comprising:

receiving a selected arrival location and a selected departure location (Fig. 14C, orientation and destination, Vance);

finding a set of desirable fares between the arrival location and the departure location (Fig. 14D, Flight list, Vance);

constructing possible itineraries between the arrival location and the departure location associated with the desirable fares (Col. 5, lines 31-33, Vance);

applying a set of rules to the possible itineraries; querying an availability portion of the travel database for available travel units for the one or more travel segments based upon the applied set of rules and the possible itineraries (Fig. 14D, status, Vance); and

displaying the available travel units a calendar-based user interface (Fig.14G, 372, Vance<sup>1</sup>). Vance does not explicitly teach the “in at least a portion of a calendar”. However, Roselli teaches the method of displaying the available travel units in at least a portion of a calendar a calendar-based user interface. It would have been obvious to one of ordinary skill in the art at the time of the invention to add/modify the Vance’s system by incorporating the displaying of portion of a calendar as taught by Roselli. Skilled artisan would have been motivated to do so in order to simplify the day selection for the users by visualizing the number of days and avoid any confusion which may cost the user time and money to change a reservation and will help users taking advantage of the special fares or low seasons or any special rating provided for a certain number of days, all of benefits and more can be accomplished when

displaying the portion of a calendar and that would increase the number of users, vendors and revenue in return.

Regarding Claims 2, and 8, Vance in view of Roselli discloses a method wherein the calendar-based user interface displays applicability data and availability data simultaneously (Fig. 14D, 372, Vance).

Regarding Claims 3, and 9, Vance in view of Roselli discloses a method wherein applicability data comprises an indication of whether a travel unit is allowed on a pre-specified day based on the set of rules (Col. 7, and 8, lines 65-67, and 1-25, respectively, Vance).

Regarding Claims 4, and 10, Vance in view of Roselli discloses a method wherein the availability data comprises an indication of whether a travel unit is at least one of (1) available for sale and (2) sold out (Fig. 14D, status, Vance).

Regarding Claims 5, and 11, Vance in view of Roselli discloses a method wherein the calendar-based user interface comprises a display of the calendar (Fig. 14E, 376, Vance).

Regarding Claims 6, and 12, Vance in view of Roselli discloses a method wherein the display further includes user-selectable hyperlinks for selecting a desired travel date (Fig. 14C, Date and Time, Vance).

Regarding Claim 13, Vance in view of Roselli discloses a calendar-based user interface for displaying query results from a database containing travel data comprising:

a calendar showing a plurality of days corresponding to the query; an availability indicator for each of the plurality of days showing available itineraries relating to the query (Fig. 14D, 372, Vance); and

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<sup>1</sup> Examiner interprets the method of selecting flight and display it on a calendar corresponds to the amended

an applicability indicator for each of the plurality of days showing itineraries relating to the query which apply based on a set of rules and restrictions from travel providers (Fig. 14D, Detailed Itinerary, Vance).

Regarding Claims 14, and 17, Vance in view of Roselli discloses a user interface wherein the availability indicator comprises a shaded day within the calendar for indicating whether a travel unit is available on the shaded day (Fig. 14E, 376, Vance).

Regarding Claims 15, and 18, Vance in view of Roselli discloses a user interface wherein the availability indicator comprises an availability icon associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Fig. 14E, 374, Vance).

Regarding Claims 16, and 19 Vance in view of Roselli discloses a user interface wherein the availability indicator comprises a user-selectable hyperlink associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Col. 11, lines 44-56, Vance).

Regarding Claims 20, 25, 26, and 31, Vance in view of Roselli discloses a method for administering an availability portion of a relational travel database, comprising:

receiving an availability message from a first travel provider (Fig. 14G, flight list, Vance);

analyzing the availability message to determine one or more affected travel segments (Fig. 14Q, Original Reservation, Vance);

querying a schedule portion of the relational travel database for the one or more affected travel segments (Fig. 14Q, Alternate Reservation, Vance); and

writing a record to an availability portion of the relational database based on a status portion of the availability message if the one or more affected travel segments are found in the schedule portion of the relational database (Fig. 14Q, Trip Activity Log, Vance).

Regarding Claims 21, and 27, Vance in view of Roselli discloses a method further comprising: initializing the relational travel database by processing a snapshot of existing availability messages at a predetermined time into the availability portion of the relational travel database (Fig. 14Q, 406, Vance).

Regarding Claims 22, and 28, Vance in view of Roselli discloses a method further comprising:

placing the availability message in a queue corresponding to the first travel provider (Fig. 14R, 408, Vance).

Regarding Claims 23, and 29, Vance in view of Roselli discloses a method further comprising:

processing the availability message corresponding to the first travel provider in parallel with an additional availability message corresponding to a second travel provider (Fig. 14S, 374, Vance).

Regarding Claims 24, and 30, Vance in view of Roselli discloses a method further comprising:

adding the availability message to an alternative processing queue if the one or more affected travel segments are not found in the schedule portion of the relational database (Col. 13, lines 54-64, Vance).

Regarding Claim 33, Vance in view of Roselli discloses a method of claim 32, wherein the calendar-based user interface comprises at least one tabular register representing the at least one month, each tabular register

including a plurality of cells representing the plurality of days of the month, and wherein the displaying step comprises displaying first indicia within at least one cell of the at least one tabular register, the first indicia indicating at least one available travel unit for the respective day of the month represented by the respective cell (Fig. 14G, Vance).

Regarding Claim 34, Vance in view of Roselli discloses a method wherein the displaying step further comprises displaying second indicia within at least one cell of the at least one tabular register, the second indicia indicating at least one of an nonavailability or nonapplicability of any travel units for the respective day of the month represented by the respective cell (Fig. 14G, Vance).

Regarding Claim 35, Vance in view of Roselli discloses a method wherein the displaying step further comprises displaying third indicia within at least one cell of the at least one tabular register, the third indicia indicating a sellout of all travel units for the respective day of the month represented by the respective cell (Fig. 14G, Vance).

Regarding Claim 36, Vance in view of Roselli discloses a method wherein the first indicia comprises a user selectable hyperlink for selecting the respective day of the month represented by the respective cell (Fig. 14C, Date and Time, Vance).

Regarding Claims 37, and 43, Vance in view of Roselli discloses a method wherein the receiving step comprises receiving a selected arrival location and a selected departure location independent of at least one of a departure date or an arrival date, and wherein the finding and

constructing steps comprise finding a desirable fare and constructing possible itineraries between the arrival location and the departure location for a plurality of at least one of departure dates or arrival dates (Fig. 14F, 380, Vance).

Regarding Claims 38, and 42, Vance in view of Roselli discloses a method wherein the desirable fare comprises a lowest fare between the arrival location and the departure location (Fig. 14F, Vance).

Regarding Claims 39, and 45, Vance in view of Roselli discloses a method further comprising:

applying a set of rules to the possible itineraries (see column 7, lines 65-67, Vance)  
wherein the querying step comprises querying the availability portion further based upon the applied set of rules (Col. 8, lines 1-25, Vance)

Regarding Claim 40, Vance in view of Roselli discloses a method wherein the set of rules includes at least one of minimum required stays, minimum allowed stays, and advanced purchase requirements (Col. 4, lines 24-32, Roselli).

Regarding Claim 44, Vance in view of Roselli discloses a method wherein the desirable fare comprises a lowest fare between the arrival location and the departure location (Fig. 14L, Vance).

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

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Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
March 23, 2005



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PRIMARY EXAMINER